

8/15/2002

MANAGEMENT STATUS OF OPEN FAR CASES

	12/31/01	3/15/02	6/14/02	7/15/02	8/15/02
At DoD	8	12	10	10	9
At CAAC	15	12	10	12	12
In case resolution	3	3	3	3	2
DARC/CAAC agree	0	0	2	1	0
At GSA Legal	3	4	6	5	8
Resolving GSA Legal issues	6		0	0	0
GSA Legal concurrence		0	0	0	0
At OFPP	13	13	8	4	5
Resolving OFPP issues	8	4	5	7	7
OFPP concurrence	2	0	0	0	0
At OIRA	2	0		2	1
Resolving OIRA issues	1	1	0	0	0
OIRA cleared.		4	4	3	0
Awaiting DoD appr. to publish		0	0	0	0
Obtained DoD appr. to publish			2	1	0
At FAR Secretariat	3	10	5	6	12
Out for public comment	4	4	3	3	
On hold	3	3	3	3	2
Total	72	71	62	60	59

FAR RULES PUBLISHED IN CY02

	Proposed	Interim	Final
Proposed	7		
FAC 2001-04 (2/8/02)			6
FAC 2001-05 (3/7/02)			
FAC 2001-06 (3/20/02)			7
FAC 2001-07 (4/30/02)			3
FAC 2001-08 (6/27/02)			3
Total	7	2	19

FAR Cases Opened in CY02: 16

FAR Cases Closed in CY02: 28

19 Final rules

9 Withdrawn, merged, or closed w/o action

See also: <http://www.acq.osd.mil/dp/dars>. Scroll down to Status of Open Cases

Management Status of the Open FAR Cases

<u>At DoD – 9 (9 DARC)</u>		<u>Committee</u>
2002-015	Government Property Rental and Special Tooling (p) (Govt. Property Cmte, RD 8/21/02)	DARC
2002-014	Debriefing—Commercial Items (p→f) (7/24/02, DARC agreed to draft final rule)	DARC
2002-005	Transportation: Standard Industry Practices (p) (7/10/02, DARC agreed to draft proposed rule)	DARC
2001-021	Training and Education Cost Principle (p→f) (Tasked Cost Principles Cmte. RD 8/28/02)	DARC
2001-015	Prohibited Sources (p→f) (7/10/02, DARC agreed to draft final rule, pending response from Dept. of Treasury)	DARC
2001-008	Compensation Cost Principle (p→f) (Tasked CP Cmte. RD 8/21/02)	DARC
2000-016	Federal, State, and Local Taxes (p→f) (DARC will discuss 8/21/02)	DARC
2000-009	Update to 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items. (p→f) (8/7/02, DARC agreed to draft final rule)	DARC
1998-018	Trademarks for Government Products (p→p) (5/9/02, Public meeting. PD&C CMTE revising rule.)	DARC

<u>At CAAC – 12 (4 DARC; 8 CAAC)</u>		<u>Committee</u>
2002-013	Definitions Clause (p) (8/9/02, To CAAC Chair)	DARC
2002-012	Section 508 Micropurchase Exception Sunset Provision (p) (5/21/02, Opened case. Tasked IT Committee.)	CAAC
2002-010	Debarment and Suspension—Indefinite Delivery Contracts (p) (7/8/02, To CAAC Chair)	DARC
2002-004	Part 22 Subcontracts and Definition of Terms (p) (2/4/02, Tasked Labor Cmte.)	CAAC
2001-030	Electronic Listing of Acquisition Vehicles Available for Use by More than One Agency (p→f) (4/18/02, received public comments from FAR SEC. Committee report pending.)	CAAC
2001-029	Miscellaneous Cost Principles (p→f) (8/15/02, To CAAC Chair)	DARC
2001-016	Labor Relations on Construction Projects (f)(stay) (Recd public comments 5/30/02)	CAAC
2001-004	Exemption of Certain Commercial Service Contracts from the Service Contract Act (p) (12/6/01, CAAC sent Ad Hoc Cmte draft to Labor Cmte)	CAAC
2000-608	New Consolidated Form for Selection of Architect-Engineer Contractors (p→f) (1/16/02, Interagency Working Group assessing public comments.)	CAAC
2000-010	Acquisition of Construction under Part 12 (p) (11/28/01, Tasked Ad Hoc Cmte to review. First meeting, 2/5/02)	CAAC
1999-603	Federal Supply Schedule Services and Blanket Purchase Agreements (p) (3/22/01, To FSS Cmte)	CAAC
1998-020	Hazardous Material Safety Data (p→p) (8/15/02, To CAAC Chair)	DARC

In Case Resolution – 2

- 2001-011 FAR Electronic Availability (f) (6/3/02, to CAAC Chair)
1995-013 Government Property Disposal (p→f) (GSA will process deviations to government property regulations when draft approved.)

DARC/CAAC Agree. Next step, legal review - 0**GSA Legal Review - 8**

- 2002-016 General Records Schedule (p) (8/12/02)
2002-008 Gains and Losses, Maintenance and Repair Costs, and Material Costs (p) (6/12/02)
2002-006 Application of Cost Principles and Procedures, and Accounting for Unallowable Costs (p) (6/12/02)
2001-034 General Provisions of the Cost Principles (p) (1/7/02)
2001-006 Progress Payment Requests under Indefinite-Delivery Contracts (p→f) (8/14/02)
1999-402 FAR Part 27 Rewrite in Plain Language (p) (8/15/02)
1999-400 Geographic Use of the Term "United States" (p→f) (5/9/02)
1997-304 Electronic Commerce in Federal Procurement (i→f) (2/6/02)

Resolving GSA Legal issues - 0**GSA Legal concurrence. Next step, OFPP - 0****At OFPP for review - 5**

- 2001-028 Energy Efficient Standby Power Devices (p) (8/14/02)
2001-032 Elimination of Standard Form 129 (p) (7/15/02)
2002-011 Procurement of Printing and Duplicating through the GPO (p) (6/25/02)
2000-305 Commercially Available Off-The-Shelf Items (ANPR) (2/21/02)
2000-013 Contract Types for Commercial Item Acquisitions (p→f) (6/25/02)

Resolving OFPP Issues - 7

- 2001-037 Insurance and Pension Costs (p) (6/24/02) (Returned to OFPP on 8-7-02)
2001-026 Depreciation Cost Principle (p) (7/11/02)
2001-018 Applicability of the Cost Principles (p) (7/2/02)
2000-308 Prompt Payment Under Cost-Reimbursement Service Contracts (i→f) (6/5/02) (Returned to OFPP on 6/12/02)
2000-304 Electronic Signatures (p→f) (6/5/02) (Meeting scheduled for 8/15/02)
1999-025 Cost Accounting Standards (CAS) Administration (p→p) (4/4/02) (Returned to OFPP on 8/7/02)
1999-024 Preference for U.S.-Flag Vessels--Subcontracts for Commercial Items (p→f) (2/8/02) (Returned to OFPP on 4/2/02)

- FR notice Reimbursement of Relocation Costs on a Lump Sum Basis (Returned to OFPP on 8/1/02)
ANPR Contract Closeout (Returned to OFPP on 8/7/02).

OFPP Concurrence. Next step, OIRA – 0

At OIRA - 1

2001-031 Deferred Compensation and Post-Retirement Benefits Other than Pensions (p) (8/13/02)

Resolving OIRA issues - 0

OIRA cleared. Next step, FARSEC - 0

At FAR Secretariat - 12

Proposed rule

2002-001 Economic Planning, Employee Morale, and Travel Cost Principles
(p) (7/30/02)
2001-035 Past Performance Evaluation of Federal Prison Industries Contracts (p) (8/2/02)
2001-024 Selling Cost Principle (p) (7/30/02)
2001-005 Notification of Overpayment, Contract Financing Payments (p) (7/30/02)
2000-005 Leadership in Environmental Management (E.O. 13148) (p) (8/2/02)

FAC 2001-009

2002-009 Trade Agreements Thresholds (f) (7/20/02)
2002-003 Temporary Emergency Procurement Authority (i) (7/2/02)
2001-012 Payments under Fixed-Price Construction Contracts (p→f) (7/22/02)
2000-302 Veterans Entrepreneurship and Small Business Development Act of 1999 (i→f) (6/24/02)
1999-303 Task Order and Delivery Order Contracts (p→f) (6/19/02)

FAC 2001-010

2000-306 Caribbean Basin Country End Products (i→f) (7/3/02)
2000-007 Financing Policies (p→f) (7/30/02)

Out for Public Comment - 1

2001-033 Section 508 Contract Clause (ANPR) (CD 8/26/02)

On Hold - 2

1994-753 Travel Costs (p→f)
1989-093 Lobbying Restrictions (i→f)

(i) = *Interim rule not published*
(p) = *Proposed rule not published*
(i→f) = *Finalizing interim rule*
(p→p) = *Second proposed rule*
(p→f) = *Finalizing proposed rule*

FAR Rules Published in CY02

Proposed

- 1998-020 Hazardous Material Safety Data (p) (1/4/02))
- 2001-030 Electronic Listing of Acquisition Vehicles Available for Use by More than One Agency (p) (2/15/02)
- 2001-029 Miscellaneous Cost Principles (p) (3/20/02)
- 2001-021 Training and Education Cost Principle (p) (5/15/02)
- 2001-015 Prohibited Sources (p) (3/20/02)
- 2000-016 Federal, State, and Local Taxes (p) (6/4/02)
- 2000-009 Update to 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items. (p) (3/20/02)

FAC 2001-004 (2/8/02)

- 2002-002 Special Simplified Procedures for Purchases of Commercial Items (f)
- 2001-027 ISO 9001 Quality Management System Requirements (published as tech amendment) (f)
- 2001-017 Revocation of E.O. on Nondisplacement of Qualified Workers (f)
- 2001-013 Notification of Noncompliance with Cost Accounting Standards (f)
- 2000-404 Definitions for Classified Acquisitions (f)
- 2000-306 Caribbean Basin Country End Products (i)
- 1999-026 Final Contract Voucher Submission (f)

FAC 2001-005 (3/7/02)

- 2001-016 Labor Relations on Construction Projects (i)(stay)

FAC 2001-06 (3/20/02)

- 2001-003 HUBZone Program Applicability (f)
- 2000-403 Definitions for Sealed Bid and Negotiated Procurements (f)
- 2000-402 Definitions for "Contract action" and "Contracting action" (f)
- 2000-012 Update to SF 1449, Solicitation/Contract/Order for Commercial Items (f)
- 2000-008 Acquisition of Helium (f)
- 1999-612 Application of Labor Clauses (f)
- 1998-024 Procurement Integrity Rewrite (f)

FAC 2001-07 (4/30/02)

- 2001-002 European Union Trade Sanctions (f)
- 2000-307 Preference for Performance-Based Service Contracting (i→f)
- 1999-616 Balance of Payments Program (p→f)

FAC 2001-008 (6/27/02)

- 2000-406 Definitions of "Claim" and Terms Relating to Termination (p→f)
- 1999-614 Federal Supply Schedules Order Disputes and Incidental Items (p→f)
- 1997-032 Relocation Costs (p→f)

FAR Cases Withdrawn, Merged, or Closed Without Action CY02

- 2002-007 Noncommercial Representations and Certifications for Use in Simplified Acquisitions
--Closed 6/13/02. No FAR changes needed.
- 2001-036 Contract Bundling – closed 4/11/02.
- 2001-019 Government Property Rewrite – closed 4/11/02.
- 2001-009 Implementation of Changes to the Interstate Commerce Act – closed into 2002-005
- 2000-606 Definition of Service Contract - closed 2/12/02.
- 2000-601 Define Terms in Part 22 - closed into 2002-004.
- 2000-401 Definitions of "Applied Research" and "Development" (withdrawal notice) (6/28/02)
- 2000-011 Revisions to Provisions/Clauses to Accommodate Sealed Bidding and Simplified Procedures in Commercial Item Acquisitions – Closed 5/28/02. No FAR changes needed.
- 1999-605 Subcontracts (Labor Standards) – closed into 2002-004.
- 1991-078 Small Business Subcontracting Reporting – Closed 8/15/02. The Procurement Executive Council's Socio-Economic Committee has chartered a Subcontract Reporting Subcommittee to implement Government-wide electronic subcontract reporting. The subcommittee is working on a thorough review of the reporting requirements (SF294/295) and will work toward comprehensive reporting that will streamline and minimize the data required from contractors/subcontractors. Any regulatory changes necessary to implement the subcommittee's finding will be the subject of a new case.